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Equatorial Guinea

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I. Introduction

1. Pursuant to United Nations General Assembly Resolution 60/251, the Human Rights Council established the cooperative mechanism linked to the universal periodic review (UPR). Through the evaluation of the level of compliance by each State, the aims of the UPR regarding the improvement of the human rights situation favour access to objective and reliable information on the national human rights situation. As part of the programme established by the Council for the period 2008–2011, the Government of Equatorial Guinea took part in the universal periodic review at the sixth session of the Human Rights Council in 2009 and drew up its national report, the consideration of which gave rise to the recommendations (A/HRC/13/16 GE.10-10136) to which the present report relates.

2. The Republic of Equatorial Guinea is a sovereign, independent, republican, united, social and democratic State, whose highest values are unity, peace, justice, freedom and equality. Its territory is made up of a mainland area called Río Mini and an island region comprising the islands of Bioko, Annobón, Corisco, Elobey Grande, Elobey Chico, Mbañe, Cocoteros, Conga and nearby islets. It has a total surface area of 28,051 sq. km., of which 26,000 lie in the mainland region and the rest in the island region. Equatorial Guinea lies on the Gulf of Guinea. The mainland region is bordered to the north by the Campo or Ntem River and the Republic of Cameroon, to the east and south by the Republic of Gabon and to the west by the Atlantic Ocean. Its capital is Malabo, which is situated on the northern coast of the island of Bioko. According to data from the Third Population and Housing Census of 2001, it has a population of 1,014,999, with a crude birth rate of 43.2 per thousand.

II. Methodology and data collection

3. Since it received the recommendations made during the interactive dialogue of the Human Rights Council for Equatorial Guinea at its sixth session, of which 86 were accepted by the Government of Equatorial Guinea and 28 were deferred for further consideration, the Government has conducted an interactive activity with ministerial departments and civil society institutions. Consequently, the present report, which is in response to the Council's recommendations, was drafted by a preparatory commission, on the basis of the results obtained during the consultation process. The first Demographic and Health Survey carried out in 2011 has been a valuable reference tool when addressing matters related to maternal and infant mortality, HIV/AIDS, sexually transmitted infections, and literacy and school enrolment rates, among others.

III. National legal and institutional order on the protection of human rights

4. Article 13 of the 1982 Constitution, as revised in 1991, 1995 and 2011, sets out a range of rights and freedoms that may be directly invoked before the courts. Nevertheless, article 14 of the Constitution states that the list of rights under article 13 is not exhaustive, because it implicitly includes all the other rights guaranteed by the Constitution, in addition to other rights and public freedoms of a similar nature originating in respect for human dignity and a democratic State governed by the rule of law. This has led to the incorporation of the international conventions and treaties ratified by Equatorial Guinea into what may be termed a constitutional block, which extends the protection not only to civil and political rights but also to those arising out of social, cultural and economic circumstances. The reform of the Constitution, which was approved in 2012, has strengthened the institutional mechanism for the protection of human rights by establishing,

in addition to what existed already, the Office of the Ombudsman, which is governed by Act No. 4/2012 of 16 November, and whose constitutional mandate makes it the High Commissioner of the Chamber of Deputies and Senate for the protection of citizens' rights vis-à-vis the public administration, through application for amparo against the dysfunctionality, misconduct and arbitrariness of public agencies. Moreover, to bridge an existing gap, Act No. 2/2011 of 14 July on the Special Body of State Lawyers was passed. This body is tasked with representing and defending the interests of the State in court or in any form of legal dispute, with a view to superseding the former policy of non-appearance and deliberate rebelliousness on the part of public institutions in the conflicts in which they were involved.

5. The legal order directly linked to the protection of human rights is organized in a pyramid structure spearheaded by articles 13, 14 and 15 of the Constitution, which are based on liberal content and a categorical imperative. Moreover, it may be noted that, between 2009 and 2013, the country ratified various international law conventions, treaties and additional protocols, which were incorporated in its human rights protection mechanism. New laws have also been adopted to broaden the normative basis for the protection of human rights, such as the new General Labour Act No. 10/2012 of 24 December and Act No. 4/2009 of 18 May, which guarantees the right to land tenure. Among the laws that have been brought in to strengthen the legal human rights framework, special mention should be made of the elimination of the requirement to obtain a visa, which was an obstacle to the right to freedom of movement and was abolished by presidential decree, the updating and improving of the migration policy through the enactment of Organic Act No. 3/2010 of 30 May governing foreigners' rights, and Decree No. 121/2011 of 5 September establishing the minimum wage, article 4 (b) of which provides for equal pay for equal work among national and expatriate workers.

IV. Presidential political system

6. On 13 November 2011, the people of Equatorial Guinea voted by referendum for a reform of the Constitution, which has now been in force since 16 February 2012. In accordance with the Constitution, the State exercises its national sovereignty through the President of the Republic, the Vice-President of the Republic, the Council of Ministers, the Chamber of Deputies, the Senate and other bodies created in accordance with the Constitution and other laws.

7. The President of the Republic is the Head of State and Government and the embodiment of national unity, representing the nation and exercising executive power by defining national policy. The President is elected by universal, direct and secret suffrage, on the basis of a simple majority of valid votes, for a term of seven years, with the possibility of re-election, and promulgates laws passed by the House of People's Representatives. In the exercise of political and administrative duties, the President presides over the Council of Ministers, which is made up of the Prime Minister and other members of the Government. The Council of Ministers is the body that directs and implements the country's general policy, ensures the implementation of the law and permanently assists the Head of State in political and administrative matters. It puts forward the State's social and economic development plans, the implementation of which, once they are approved by the Chamber of Deputies and the Senate and endorsed by the President, it organizes, directs and monitors. It draws up the General State Budget Bill, determines monetary policy, adopts measures to protect and strengthen the country's monetary and financial regime, drafts other bills and directs the State administration, coordinating and overseeing the activities of the various departments of State. The State's commitment to the development and protection of human rights has been in the process of consolidation for a number of

years, with the appointment and confirmation of a deputy prime minister in charge of human rights and a deputy prime minister in charge of the social sector, the creation of the National Human Rights Commission, which is moving imperatively towards conformity with the Paris Principles, the establishment of the Parliamentary Commission for Complaints and Petitions and, lastly, the appointment of the Ombudsman.

V. On the recommendations (R70) related to the first national report

A. Ratification of the Convention on the Rights of Persons with Disabilities

R[1]70.1, 70.2, 70.3, 70.4, 70.6

8. Although Equatorial Guinea has yet to ratify the Convention on the Rights of Persons with Disabilities,[2] it is no less commendable and true that, at a national level, wide-ranging initiatives have been undertaken to improve the situation of persons with disabilities.[3] In a meeting of the Interministerial Council on 18 November 2013, the Government sanctioned the use of mechanisms leading to the ratification and implementation of the Convention. The initiatives undertaken notably include the approval and application of Decree No. 129/2004 of 23 August, on the effective integration of persons with disabilities into the social security system, which has led to the creation of the Special Service for persons with disabilities in the National Social Security Institute (INSESO). Since the decree was promulgated, 3,800 persons with disabilities have been included in the census and registered with INSESO. They have also received mobility aids, under programmes carried out by the National Association of Disabled Persons (ASONAMI),[4] and ocular instruments, through the association for the blind. A member of ASONAMI has been appointed as a senator in the current legislature. Every three months, the persons with disabilities recorded in the census and affiliated with INSESO are given an allowance equivalent to 60 per cent of the minimum wage,[5] independently of the health care and medical and pharmaceutical assistance that they receive.

9. In the general State budgets for the financial years 2011/12 and 2012/13, there is a heading for budgetary allocations to charitable organizations. These allocations provide financial support to persons with disabilities, families on very low income, and families with members with a serious illness leading to high treatment and rehabilitation costs.

10. In that connection, the Directorate-General of Special Education was established within the Ministry of National Education, with the objective of identifying students with disabilities or impairments and designing education modules tailored to their needs.

B. Accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Signature of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights

11. The Human Rights Department attached to the Office of the President has presented a debate on the Optional Protocol to the Interministerial Council. Once the decision to accede to it has been taken by the Council of Ministers, the process will be submitted to the two chambers of parliament for final approval.

C. The judiciary and the independence of judges and magistrates

R70.49, 70.50, 70.51, 70.52, 70.53, 70.54

12. The judicial system of Equatorial Guinea and the Head of State, who is the first magistrate of the nation, are the guarantors of the protection and promotion of human rights. The Head of State is the constitutional guarantor of the independence and functionality of the judiciary, and of respect for the Constitution and the independence of judges and magistrates. To that end, the Head of State receives assistance and support from the High Council of the Judiciary. In order to fulfil their mission, national courts are organized in such a way as to maintain an adversarial process that may be reviewed by other judges on appeal, in addition to providing for cassation appeals and constitutional appeals for amparo. The cassation review and the review of unconstitutionality by means of amparo are further guarantees provided by the Supreme Court of Justice and the Constitutional Court in order to ensure that trials have been conducted in observance of due process and the rights provided for in the Constitution. It was with this in mind that the Constitutional Court passed Organic Act No. 4/2011 of 14 July.

13. Currently, all judges and magistrates have received legal training. While the step has not yet been taken to offer a high quality level of training in the judiciary, that objective is nonetheless attainable and warrants the effort that the country is making in that respect. The organizational structure of the judiciary established under the 2009 Act has fully replaced the previous, inadequate organizational structure of 2004. Training and refresher courses are provided in the positive law of Equatorial Guinea and within the subregional system (CEMAC, BEAC-COBAC, OHADA). Similarly, several national jurists have attended training courses run by the OHADA Regional Judicial Training College in Cotonou.

14. Access to justice has improved thanks to a number of factors. Firstly, workers do not have to pay costs related to legal proceedings in labour disputes, unless they are shown to have acted in bad faith. Legal representation is not mandatory in some minor proceedings (before traditional, regional and magistrates' courts), or in labour cases. Under the new organizational structure of the judiciary of 2009, civil courts and courts of investigation have been established, as have labour courts in rural areas. The new traditional and magistrates' courts deal exclusively with municipalities. The Ministry of Justice, in cooperation with the School of Judicial Practice, has developed and widely disseminated a layman's guide to access to justice, as well as a collection of the national laws in force for the attention of justice officials.

D. Follow-up to the recommendations of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. References to the report of the Working Group on Arbitrary Detention

15. After individual seminars given by the Human Rights Department attached to the Office of the President, all the uniformed services and judicial authorities were once again reminded of the Government's policy and decision not to tolerate the practice of torture or arbitrary detention at the national level, on penalty of drastic coercive measures.

E. Human rights training and awareness-raising

R70.7, 70.8, 70.10, 70.86

16. With regard to training in human rights issues, in 2012, a national workshop was held in Malabo on regional and international instruments and human rights mechanisms, including the UPR.

17. The Interministerial Commission on Human Rights[6] was established by Decree No. 45 of 16 May, and the National Commission in turn organized awareness-raising and training activities on trafficking in persons, capacity-building for national human resources, and the enforcement of, and respect for, international and national provisions related to the prevention and punishment of torture and other cruel, inhuman or degrading treatment or punishment. Consideration is being given to bringing the National Human Rights Commission into line with the Paris Principles with a view to achieving that objective.

R70.9, 70.16

18. Regarding international cooperation and follow-up, Equatorial Guinea is covering a great deal of ground and intensifying efforts to achieve continued, stable cooperation with the United Nations bodies tasked with encouraging respect for human rights. This activity has been underscored by the response to the commitment to present national reports to the relevant organizations, the national prioritization of participation in, and follow-up to, the forums and meetings on such reports, including CEDAW, CRC and UPR, and the full participation in the activities of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

R70.43, 70.44, 70.45, 70.46, 70.47

19. National legislation on the smuggling of migrants and trafficking in persons, particularly children, has been enshrined in the mandates arising from the international treaties and conventions ratified by Equatorial Guinea. Neither the studies carried out by UNICEF in the 1990s on migration and child exploitation, nor those on trafficking and child prostitution in Equatorial Guinea, have been updated. Nevertheless, the Ministry of Social Affairs and the Status of Women, with the support of the International Organization for Migration and the United States Embassy in Equatorial Guinea, has organized meetings and information and dissemination courses on migrant-smuggling and human trafficking, aimed at civil servants, members of the national security service and border guards. In the same vein, the Ministry of the Interior and Local Communities organized an information and awareness-raising seminar on the challenges presented by the Act on migrant-smuggling and human trafficking. At its interministerial meeting of 18 December 2013, the Government authorized the ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

F. Jails, prisons, torture and impunity

R70.34, 70.35, 70.36, 70.37, 70.38, 70.39, 70.40

20. The International Committee of the Red Cross, along with representatives of religious groups, have enjoyed free access to detention centres at a national level, enabling them to monitor in situ the conditions of detention and the treatment given to inmates. During August and September 2013, the Public Prosecutor's Office carried out an inspection of the detention conditions and the reasons for detention or arrest in all jails and holding and detention centres throughout the country. Even though national criminal legislation, which dates back to colonial times, does not allow lawyers to assist persons in

police custody, a practice is nonetheless being developed to favour contact between lawyers and persons who have been arrested or detained. In that regard, habeas corpus proceedings have strengthened the mechanism for promptly bringing detainees before an examining magistrate.

21. Law enforcement personnel found guilty of acts of arbitrary detention, kidnapping, torture or similar offences, have been tried before military tribunals, sentenced to imprisonment and permanently detached from the corps to which they belonged. The State, in accordance with the laws governing its vicarious liability[7] for the crimes committed and damage inflicted by its officials, has expressed its willingness to provide full reparations to the victims of such acts. This is implicit in the provi ions of the Prohibition of Torture Act No. 6/2006, which sets out the State's civil responsibility to pay compensation to either the victim or their beneficiaries for any harm or damage resulting from this crime against humanity.

G. Budgetary transparency, corruption and legal instruments to combat it

R70.5, 70.11, 70.13

22. To date, it has not been possible to accede to the United Nations Convention against Corruption, but at the interministerial meeting of 18 December 2013, the Government authorized the completion of the procedures and formalities related to the ratification of that Convention. Mechanisms derived from the Convention have nevertheless been set up at a national level, and serve as valid instruments in the fight against corruption. Since 2012, corruption has been considered a constitutional offence under article 15.2 of the Constitution. Many civil servants have, however, been tried and sentenced for their involvement in acts of corruption and corrupt practices defrauding the public purse for a number of years. Decree No. 131 governing national economic and financial policy stipulates the requirement to "put an end to illegal tax collection", which is in the process of being achieved. The order is effectively self-explanatory: to eliminate ministerial accounts that are outside the purview of the public treasury, as well as the once widespread behaviour of certain civil servants, which involved receiving contributions, taxes and excise duties not provided for by the legislation in force.

23. It should be noted that an anti-corruption prosecutor's office has been established within the judiciary, as has the requirement for politically exposed persons to make a sworn statement of assets, and for conflicts of interest and the use of privileged information to be monitored. The measures were established under Decree-Law No. 1/2004 on ethics and dignity in the exercise of public functions. The duty to declare assets was incorporated in the reformed 2012 Constitution, along with the correlative a posteriori monitoring of the assets of politically exposed persons following the exercise of their public functions. The National Public Ethics Commission was consequently created by Decree No. 132 of 2 November.

24. Reference should also be made to the subregional provision drawn from the commercial legislation of OHADA, which prohibits members of the Government and civil servants in the States Members of OHADA from exercising commercial activities. Other instruments adopted to combat corruption in the public sector include: Decree No. 10/2011 of 20 January, which sets the pricing basis for works of the State; in the same vein, Act No. 5/2012 of 16 November governing the Audit Court, whose key role is to review and control the accounts kept by persons responsible for the public purse, and to demand accountability and transparent information from all persons who administer government funds or funds put at their disposal by the Public Treasury with the aim, as specified under article 9.1 of the Act, of subjecting the economic and financial activity of the public and parapublic sectors to the principles of legality, efficiency and economy. Attention should also be

drawn to Decree No. 42/2007 of 30 July governing civil society participation in the implementation of the Extractive Industries Transparency Initiative (EITI), expanding on Decree No. 87/2005 of 4 May, which provided for the creation of the National Commission for Good Governance and the Implementation of the Extractive Industries Transparency Initiative.

H. Accession to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (the Ministry of Foreign Affairs and Cooperation may provide replies)

25. The Government is discussing the need to accede to the Optional Protocol in the Interministerial Council.

I. Rome Statute, International Criminal Court and serious human rights violations

26. The Government is still considering the matter. It nevertheless endorses the African Union declaration in that regard.

J. Equality, gender-based violence and opportunities

R70.15, 70.18, 70.19, 70.20, 70.21, 70.22, 70.23, 70.24, 70.41, 70.42, 70.60, 70.77

27. Gender stereotypes are being eliminated in line with the constitutional mandate set out in article 13.2 of the Constitution of Equatorial Guinea, which orders the implementation of "legal initiatives and mechanisms to promote the adequate representation and participation of women in public posts and in the performance of other functions in all State institutions". For that reason, the gender ratio in the Government, Senate (whose presidency is occupied by a woman) and Chamber of Deputies shows significant participation by women.

28. It must be pointed out that, in Equatorial Guinea, there has been no enactment of laws, in the formal sense of the word, that discriminate against women. In the last four years, the civil, political, social and cultural rights of women, along with the elimination of practices and barriers detrimental to the development of girls, have led to full awareness and national action, which are worth pursuing in view of the results obtained. The National Multisectoral Action Plan for the Advancement of Women and Gender Equity (2005–2015) has reopened a previously trodden path. It is important to note the National Programme for education of adult, young and adolescent females, which is an educational project for illiterate adult females and young females who are failing at school or have dropped out. The national literacy and education curriculum and the learning modules for adults were designed, validated, printed and disseminated for that purpose. According to the first demographic and health survey in Equatorial Guinea, 88 per cent of women between the ages of 15 and 49 are literate. Regarding the economic rights of women, the equal pay established by the presidential decrees governing the minimum wage,[8] the supplementary ministerial orders setting the minimum wage in all private sectors, and the monitoring and follow-up being conducted in the sector by both the Ministry of Labour and the National Social Security Institute, guarantee respect for such rights, which have been incorporated in the Constitution. Violations of the principle of equality are punished as employer offences under the General Employment Act.[9] In respect of positive discrimination, the Act provides that no factor directly related to the biological status of women (pregnancy, maternity, prenatal care, etc.) may serve as a cause for dismissal or any form of disciplinary sanction.

To this provision must be added equal pay, which has been in force unconditionally in the public sector and in State and parastatal companies since the last century.

29. The contribution made by women in the different sectors of the economy has been promoted and increased thanks to activities linked to the adoption by Equatorial Guinea of a National Programme for education of adult, young and adolescent females who are illiterate or failing in the basic education system. In addition to this programme, efforts have been made by the private sector through the liberalization of the education system, leading to the opening and operation of several vocational training centres. Beyond this educational framework, decentralized activities have been undertaken to favour the development of women's economic power and, by extension, the growth of their autonomy. Although 39 per cent of women work, it is worth noting that 45 per cent of those women engage in commercial activities in the informal sector. Within this framework is the Self-employment for Rural Women Project[10] (funded to the tune of more than CFAF 2.4 billion), which aims to contribute to boosting the income of women in rural areas through the dissemination of techniques to produce, preserve, market and process fishing and agricultural products. In the same context, partners for development such as oil companies have carried out activities, through projects conducted in rural areas, to foster security for women with limited resources by providing shelters and other facilities such as free nurseries, enabling them either to attend training courses to develop skills and competencies or devote their time to rural activities to generate income.

30. With regard to gender equality and equal opportunities, to participation in the empowerment of women and efforts to combat gender-based discrimination and violence, it is clear that some groups remain highly sceptical about the change of mindset required to abandon practices and customs that violate the human rights protection mechanisms that the Government is trying to implement. Article 15 of the Constitution has established discrimination against women as a constitutional offence. In terms of gender-based violence, the Mediation and Women's Counselling Service provides a trustworthy environment for women to report ill-treatment and domestic violence, and family, juvenile and examining magistrates' courts are contributing to efforts to combat violence against women by factoring in aggravation in cases where the victim of violence is the perpetrator's spouse, in addition to recognizing the offences of ill-treatment provided for in the Criminal Code.

31. The principle of equality has been incorporated in the Constitution through articles 5 and 13 and, in keeping with the constitutional mandate, the imposition of prison sentences for failing to pay a dowry, whether with respect to the wife or a family member, has been dropped from judicial and administrative practice. Although it must be recognized that around 30 per cent[11] of women with partners have been subjected to gender-based violence, such conduct is an offence under the Criminal Code, as are sexual transgressions, and courts correctly apply the law with regard to the punishment of offences such as domestic violence and rape. Family and juvenile courts have been established, whose competencies include dealing with cases of gender-based violence and, if necessary, informing the public prosecutor's office for the subsequent lawsuit. The fact of being a relative of the perpetrator is an aggravating circumstance.

32. With regard to the prohibition of discrimination on the basis of sexual orientation, heterosexuality and homosexuality are considered on an equal footing in Equatorial Guinea. The working paper from the Ministry of Health, which addresses sexual and reproductive rights, stipulates that all persons are entitled to the enjoyment of such rights without discrimination as to sexual orientation. Article 15.1 of the Constitution is more explicit, and sets out that discrimination on the basis of sexual orientation is an offence punishable by law.

K. Proportion of the general State budget[12] devoted to the social sectors

R70.61, 70.62, 70.64, 70.65

33. Thanks to the work done by the National Institute of Statistics, which is attached to the Planning Department, it has been possible to rationalize investment in the health sector, health infrastructure, water, sanitation and HIV/AIDS. The results were achieved by conducting the Fourth Population and Housing Census, and by collecting data on the rural and urban working population. The First General Agricultural Census, taken in collaboration with the Ministry of Agriculture, is also worthy of note. In this respect, the State has progressively increased the proportion of public spending devoted to the social sectors, which amounted to 3.9 per cent of GDP in 2009, 22.9 per cent of the total budget for 2010, and 22.4 per cent in 2012. Some of these funds have been used to safeguard the living conditions of pensioners and retirees through INSESO. A programme has been implemented by the Ministry of Economy and Trade to provide financial support to small- and medium-sized businesses. Following the constitutional reforms, the Government of Equatorial Guinea has decided that, starting with the 2015 budget, it will increase investment in the social sectors (education, health, public service, social affairs, gender equality and cultural affairs). The Government has also made microcredit available to all small- and medium-sized businesses across the country through the Ministry of Trade.

Urban planning, housing, electricity, water and sanitation

R70.67, 70.68, 70.69

34. In order to facilitate connections between among others provincial capitals, large municipalities, ports, airports and border areas, more than 698 kilometres of national highways have been paved over the last three years, and a further 402 kilometres are nearing completion. For provincial roads, which, though not part of the main road network, are significant because they can open up small towns and villages, large centres and rural agricultural production areas, a total of 124 kilometres has been surfaced. These roads serve to relieve congestion in rural areas, thereby facilitating the free movement of goods and services, and bring children in rural areas closer to school by reducing their journey time and the risks inherent in roads that are in a poor state of repair.

35. In terms of social housing, around 15,000 family homes have been built in the country, and more urban development areas are being expanded in order to create space for social housing. This programme of access to social housing goes hand in hand with the government programme for water supply and sanitation, which are also being extended in existing urban areas and rural areas, where a number of villages have already been supplied with drinking water. The first Demographic and Health Survey indicates that two thirds of the households in Equatorial Guinea have electricity. It is true that this includes only 43 per cent of rural households, but the situation is improving thanks to current urbanization and civil engineering projects. It is also notable that 56 per cent of the population now has access to drinking water.

36. The output capacity of the Turbogas electric power station in Malabo is currently being expanded, through a series of substations in Malabo and surrounding areas, and supply line II, which serves most of the households through an underground energy transportation and distribution system. The Turbogas energy network has reached some rural areas with a supply available 24 hours a day. The Djibloho hydroelectric plant in the mainland region has come into operation and currently produces 160 megawatts, distributed through the underground energy distribution system from the plant to the whole of the mainland region. The power plant under construction on the Sendje River will have a capacity of 200 megawatts. Some towns and district centres are currently supplied by free-

standing generators. The hydroelectric power stations of Riaba, Musola and Musola II are being upgraded, which will expand the amount of power generated and the range of rural areas covered. The Ekuku electric power station, another thermal plant in the centre of Bata, and the Bikomo hydroelectric plant currently produce enough energy for the town of Bata and the surrounding area.

37. With regard to the supply of drinking water, work has been done for the intake, conveyance and supply of safe water fit for human consumption in Malabo, Luba, Baney, Cupapa, Riaba, Bata, Mongomo, Ebebeyin and Evinayong. Water is also being piped to a growing number of rural areas and to peripheral urban expansion areas.

Maternal and infant mortality and rural health

R70.70, 70.71, 70.72, 70.73, 70.74, 70.75, 70.76

38. Maternal and infant mortality was one of the most detailed items in the first Demographic and Health Survey of 2011, owing to the impact it has on quality of life and life expectancy. Over the last three years, 498 community health workers have been trained to work in medical units in rural areas, as have 1,216 midwives, with the aim of ensuring that 90 per cent of births at a national level are attended by skilled staff. Efforts in this domain continue to grow. Indeed, according to the first Demographic and Health Survey, in 2011, 69 per cent of births were attended by skilled staff and 8 per cent by traditional midwives. At a national level, the Prenatal Care Service has been extended to cover childbirth and postnatal care, as part of the road map for the reduction in maternal mortality of 50 per cent by 2015, and 80 per cent by 2020. The Directorate-General for Family Health has been established and is responsible for strengthening and monitoring the coordinated activities of the National Reproductive Health Programme.[13] More than 1,500 people have been trained as qualified staff (including health centre directors, health workers, laboratory assistants and auxiliary nurses), while 91 doctors, nurses, paediatricians, internists, surgeons and anaesthesiologists, among others, have been sent on specialized university training courses in foreign countries to cover similar health issues.

39. In urban, suburban and rural communities across the country, 392 health posts have been created, as well as 45 municipal health centres. National statistics indicate an average maternal mortality ratio of 308 per 100,000 live births over a 10-year period. The Strategic Emergency Plan and the Multi-sectoral Plan are two of the initiatives undertaken by the Government in respect of health issues related to HIV/AIDS. A special Minister of State in charge of HIV/AIDS has been appointed in the new government team. According to the first Demographic and Health Survey, 35 per cent of women and 25 per cent of men were tested for HIV between 2010 and 2011. Campaigns to raise awareness of the pandemic have been developed, including the 2011 national campaign on vertical mother-to-child transmission. In the context of the work carried out by the Infectious Diseases Reference Unit, there is a laboratory of immunobiology and a consultation and monitoring unit, where pregnant women are provided with an automatic diagnosis and, if necessary, mothers with HIV are provided with infant formula. The treatment of children with an HIV-positive mother is regulated by the Protocol on prevention of vertical mother-to-child transmission, and the 2012 Global AIDS Response Progress Report has been a valuable instrument for monitoring the national HIV/AIDS situation. Antiretroviral treatment is accessible to the whole population and is completely free of charge, the costs being defrayed in their entirety by the public purse, as are those related to diagnosis and prevention. Six treatment centres have been set up across the country. From the point of view of awareness-raising, the Association of Women against AIDS,[14] in close collaboration with the Government, and with support from both private companies and the World Health Organization, has launched several training campaigns for educators of religious leaders, appointed 50 advisers on vertical mother-to-child transmission, raised awareness among, and provided information

to, persons affected by HIV/AIDS on how to live with the disease, and conducted awareness-raising and information campaigns in private company workplaces, schools and military camps located in rural areas and provincial centres. The funds used for the HIV/AIDS project have had a significant impact on the achievements made. With regard to health, a target has been set to improve access to malaria diagnosis and artemisinin combination therapy (ACT) by 100 per cent by 2020. The plan will involve activities such as offering diagnoses free of charge and distributing essential medicines at a low price.

Childhood, education and the right to education for all

R70.78, 70.79, 70.80, 70.81, 70.82, 70.83, 70.84

40. It is important to begin by highlighting that education is a right enshrined in the Constitution of Equatorial Guinea, and that the National Education Act establishes that it is free of charge. In fact, the Government has handed out heavy punishments to civil servants and teachers who have engaged in corruption by imposing parafiscal taxes and obligations that tend to undermine the principle of free education. In order to pursue the policy of free education and university access for vulnerable sectors of society and young people from rural areas, the Government has undertaken the construction of three university campuses in Basapú, Mongomo and Oyala.

41. The State of Equatorial Guinea does not exercise a monopoly over education, meaning that religious and secular private schools are permitted. The concept of education for all, launched by the Government of Equatorial Guinea, and the proposed objective of providing water and electricity for all, have been publicized not as mere political slogans but rather as a reality, attainable through programmes and projects that are adequately funded and monitored. In that connection, the National Plan on Education for All has been institutionalized, as has the Educational Development Programme for Equatorial Guinea (PRODEGE), which receives support and technical assistance from the Academy for Educational Development in the United States. An initiative already under way is the 12 de octubre Vocational Training Centre for young people and adults, which has a new building equipped with technical facilities, allowing it to provide training that meets the demands of the labour market in such sectors as electricity, hospitality, industrial cold storage and the automotive industry.

42. The national education system has been reformed through alterations to school curricula and textbooks at the various levels. With regard to human resources, 992 teachers have been trained thanks to PRODEGE and, through the University Teacher Training School, they have the opportunity to receive university-level training. According to the Statistical Yearbook, the primary school enrolment rate for the 2010/11 academic year was 70.8 per cent, of whom 49.3 per cent were girls. A total of 34,237 pupils attended secondary school. Since 2008, more than 2,000 teachers have been hired in order to satisfy teaching needs, particularly in decentralized areas, whether suburban or rural. Women account for around 30 per cent of the enrolment and completion rates at the 12 de octubre Vocational Training Centre.

43. In spite of the progress achieved in this domain, Equatorial Guinea acknowledges the urgent need to redouble and continue the efforts made to increase enrolment and completion rates, and to reduce the repetition rate and problems in accessing educational establishments. It is clear that female dropout rates remain a constant cause for concern, and the need to improve the quality of the university education offered by the National University of Equatorial Guinea[15] is a task to be accomplished in the coming years. One of the initiatives to strengthen the fight against dropout rates has been to support the enrolment and placement of young girls in girls' schools and the religious boarding schools for girls in, inter alia, Basilé, Bososo, Ebibeyín and Malabo-Caracolas. Moreover, to address issues

related to school dropout, vocational training centres have been set up in the seven provincial capitals, while existing centres have been strengthened. Five school inspectors have been trained to supervise the centres, and 82 teachers have been trained in foreign countries with an experience similar to ours. The social participation of children is gradually being achieved and, in 2013, pursuant to Decree No. 21/2013 of 28 January, the Children's Parliament of the Republic of Equatorial Guinea was established, with the aim of creating a propitious environment for young people to discuss their problems.

Associations, culture and free expression

R70.55, 70.56, 70.57

44. National legislation on associations, the right to culture and the free expression of ideas, opinions and knowledge contains no provisions that restrict, hinder or complicate the exercise of the aforementioned freedoms. It has in fact been possible to detect isolated administrative centres where the understanding of the legal content was not in tune with the principal meaning or breadth of those rights, and steps have been taken to remove those bottlenecks. In fact, there are many associations and NGOs in the country that operate in numerous fields, such as cinema, theatre, literature, culture, physical disability and visual impairment. AMUSIDA, ASONAMI, CANIGE and AMUDIGE, among others, have been able to establish themselves and carry out activities subject only to strict compliance with the law. Associations with a cultural approach have fostered creativity, particularly in the visual arts and stage design, thereby stimulating public participation in the creation of a mindset based on cultural integration.

45. In that connection, the Cultural Centre of Equatorial Guinea has now been established and will serve, in a similar fashion to the Spanish and French centres, among others, as a platform for research into the common cultural heritage and the specific heritage of national sociocultural groups, by compiling tales and legends and organizing exhibitions, concerts and recitals. In order to revive cultural activities, animation, administration and cultural management courses have been offered for the training of human resources.

46. Another cultural achievement has been the opening of the National Library with its peripheral activities, which include book kiosks in urban areas and mobile libraries to distribute books in rural areas.

47. Inspired by the Cultural Charter for Africa drawn up by the African Union, plans have been made for the future development of a National Cultural Charter.

VI. Recommendations (R71)

R71.1, 71.2, 71.8, 71.16, 71.17, 71.18, 71.19, 71.20, 71.21, 71.22, 71.23

48. Concerning the death penalty, torture and other inhuman and degrading treatment. With regard to abolishing the death penalty or at least establishing a moratorium, the Government has conducted studies on the matter, and for the time being has concluded that a moratorium is the most appropriate course of action. Legislation has therefore been developed, which is being discussed by the Interministerial Council and will be promulgated very shortly. While the death penalty is provided for in article 13 (a) of the Constitution, the Government of Equatorial Guinea has adopted a decree declaring a temporary amnesty with respect to the death penalty in the Republic of Equatorial Guinea.

R71.5, 71.6

49. Concerning enforced disappearances and forced internal displacements. The Government of Equatorial Guinea has explicitly prohibited both enforced disappearances and forced displacements, under penalty of heavy and severe sanctions for persons who fail to comply with this decision of the Government and the institutions that guarantee full observance of human rights.

R71.9, 71.10

50. National human rights institutions and the Paris Principles. The strengthening of the National Human Rights Commission and the coordination among national human rights institutions are going ahead, although at the moment the process is undoubtedly slow. In its resolution of 25 May 2012, the National Human Rights Commission announced the implementation of the various necessary and sufficient mechanisms for its full integration into the Commission of National Human Rights Institutions in Central Africa, which is based in Yaoundé, and the Network of African National Human Rights Institutions based in Nairobi. In its plan of action to raise awareness among all sectors of the population throughout the country, the Human Rights Department attached to the Office of the President has organized a training and awareness-raising campaign on the subject of human rights for all provincial authorities.

R71.11, 71.12, 71.13, 71.14, 71.15

51. Standing invitation and special procedures mandate holders. The Government of Equatorial Guinea reserves judgement for now, awaiting the declaration of the bicameral parliament that was recently instated in the country.

52. The previous recommendations (R71.5, 71.6, 71.9, 71.10, 71.11, 71.12, 71.13, 71.14, 71.15), which did not meet with the full approval of Equatorial Guinea at the time, are part of a package that the Government is studying closely before it is referred to parliament for whatever purposes may be deemed appropriate.

VII. Conclusion

53. There is no question that Equatorial Guinea will follow the patterns that it has legitimately and sovereignly marked out for its democratic course, from which it can be logically and inevitably inferred that there will be a full and effective implementation of the culture of acknowledging and respecting each and every one of the human rights recognized in international instruments, and in the idiosyncratic customs of the societies and cultures that compose the mosaic of the State of Equatorial Guinea. Where appropriate, there will also be full and satisfactory compensation for damages to which victims of acts that violate human rights may be entitled. In that regard, the dialogue between Equatorial Guinea and the United Nations system will, as always, be frank and transparent, and the universal periodic review mechanism and other means of interaction will play a key role in that respect. Equatorial Guinea has never claimed or believed that human rights standards are a way of falsely accusing the country or a subterfuge on the part of the international community, but rather that they are simply a right that benefits the nation and every citizen in this country. For that reason, we once again call for the support of the international community and of all our development partners, so that they will continue to cooperate with our country to fulfil the objectives that Equatorial Guinea has set for itself through the National Economic and Social Development Plan for Horizon 2020.

Notes

[1] Recomendacion.
[2] Convención sobre los Derechos de las personas con Discapacidad.
[3] Personas Con Discapacidad.
[4] Asociación Nacional de Minusválidos.
[5] Salario Mínimo Interprofesional del Sector privado.
[6] Comisión Interministerial para los Derechos Humanos.
[7] Ley prohibitiva de la tortura y ley sobre Régimen Jurídico de la Administración Central del Estado.
[8] Salario Mínimo Interprofesional.
[9] Ley del Ordenamiento General del Trabajo.
[10] Proyecto para el Autoempleo de la Mujer Rural.
[11] Estudio socioeconómico de la situación de la mujer en GE. MINASPROM, 2012.
[12] Presupuesto General del Estado.
[13] Programa Nacional de Salud Reproductiva.
[14] Asociación de Mujeres en la Lucha contra el SIDA en Guinea Ecuatorial.
[15] Universidad Nacional de Guinea Ecuatorial.

United Nations A/HRC/WG.6/19/GNQ/2

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Equatorial Guinea

The present report is a compilation of the information contained in the reports of treaty bodies and special procedures, including observations and comments by the State concerned, and of the Office of the United Nations High Commissioner for Human Rights (OHCHR), and in other relevant official United Nations documents. It is presented in a summarized manner due to word-limit constraints. For the full text, please refer to the document referenced. This report does not contain any opinions, views or suggestions on the part of OHCHR other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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Please recycle

I. Background and framework

A. Scope of international obligations[1]

International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (2002)		ICCPR-OP 2
	ICESCR (1987)		OP-CAT
	ICCPR (1987)		OP-CRC-AC
	CEDAW (1984)		ICRMW
	CAT (2002)		CRPD
	CRC (1992)		CPED
	OP-CRC-SC (2003)		
Reservations, declarations and/or understandings	ICERD (reservation, art. 22, 2002)		
	CAT (reservation, arts. 28 and 30(1), 2002)		
Complaint procedures, inquiry and urgent action[3]	ICCPR-OP 1 (1987)	OP-CEDAW, art. 8 (2009)	ICERD, art. 14
			OP-ICESCR
			ICCPR, art. 41
			CAT, arts. 20, 21 and 22
			OP-CRC-IC
			ICRMW
			OP-CRPD

Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Palermo Protocol[4] 1951 Convention relating to the Status of Refugees and its 1967 Protocol Geneva Conventions of 12 August 1949 and Additional Protocols I and II[5] ILO fundamental conventions[6]		Convention on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court ILO Conventions Nos. 169 and 189[7] Additional Protocol III to the 1949 Geneva Conventions[8] UNESCO Convention against Discrimination in Education

1. In 2012, the Committee on Economic, Social and Cultural Rights (CESCR) encouraged Equatorial Guinea to consider signing and ratifying OP-ICESCR and acceding to ICCPR-OP 2, OP-CRC-AC, ICRMW, CRPD, OP-CRPD and CPED.[9]

2. In 2012, the Committee on the Elimination of Discrimination against Women (CEDAW) commended the ratification of OP-CEDAW and encouraged Equatorial Guinea to consider ratifying ICRMW, CPED and CRPD.[10]

3. CEDAW urged Equatorial Guinea to ratify ILO Convention No. 156 (1981) on Workers with Family Responsibilities.[11]

4. United Nations Educational, Scientific and Cultural Organization (UNESCO) affirmed that Equatorial Guinea should be encouraged to ratify its 1960 Convention against Discrimination in Education.[12]

5. In 2011, the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination recommended that the Government consider acceding to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries as a matter of priority.[13]

B. Constitutional and legislative framework

6. CEDAW took note of the 2011 constitutional reform and was concerned that no law on gender equality, including a definition of discrimination, had yet been elaborated and adopted. It was concerned at the long delays in the adoption of several bills.[14]

7. CEDAW called upon Equatorial Guinea to: expedite the elaboration and adoption of a Law on Gender Equality including a definition and prohibition of discrimination against women; conduct an assessment of its national legislation to identify the gaps in the protection of women's rights and gender equality in order to bring it into line with the Convention; and establish a clear time frame for the revision or adoption of the necessary laws.[15]

C. Institutional and human rights infrastructure and policy measures

8. CEDAW recommended that Equatorial Guinea ensure the independence of the Ombudsman; the provision of sufficient resources; a broad human rights mandate and a specific mandate on gender equality. CEDAW also recommended that Equatorial Guinea ensure that the composition and activities of the Ombudsman's office were gender-sensitive.[16]

9. CEDAW was concerned that despite the national machinery for the advancement of women and the Multisectoral National Action Plan on the Status of Women and Gender Equality (2005-2015), the full development and advancement of women was not a priority.[17]

10. CEDAW expressed its concern about the State party's lack of familiarity with the differences between formal and substantive equality between men and women and urged it to take measures to eliminate discrimination against women and to ensure women's substantive equality with men in all areas covered by the Convention.[18]

11. CEDAW welcomed the 2008 "No to violence against women in Equatorial Guinea" campaign as well as the establishment of the Fund for Social Development which prioritizes women's access to health care services.[19]

12. CESCR and CEDAW requested Equatorial Guinea to disseminate their concluding observations widely among all sectors of society.[20]

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies[21]

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
CERD	--	–	–	Initial to sixth reports overdue since 2003, 2005, 2007, 2009, 2011 and 2013 respectively
CESCR	--	–	November 2012 (non-reporting procedure)	Initial report due in 2014 (initially overdue since 1990)
HR Committee	November 2003 (non-reporting procedure)	–	–	Initial report overdue since 2004 (initially overdue since 1988)
CEDAW	July 2004	2009	October 2012	Seventh report due in 2016
CAT	–	–	–	Initial to third reports overdue since 2003, 2007 and 2011 respectively
CRC	October 2004	–	–	Second to fourth reports overdue since 2009 Initial OP-CRC-SC report overdue since 2005

13. UNESCO asserted that Equatorial Guinea did not report on measures taken for the implementation of a number of its recommendations. It asserted that Equatorial Guinea should be encouraged to submit State reports for the periodic consultations of UNESCO's education-related standard-setting instruments, especially the Convention against Discrimination in Education.[22]

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
CEDAW	2014	Adoption and enforcement of the Comprehensive Protection Bill to Prevent, Punish and Eliminate Violence against Women; development of a relevant national strategic action plan; assistance to victims; collection of data on violence against women; discrimination against women in marriage and family relations.[23]	

14. CESCR invited Equatorial Guinea to prepare a comprehensive initial report covering the steps taken to uphold all the rights set forth in the Covenant, and urged it to ensure that civil society organizations are involved in the national debate held prior to its submission.

B. Cooperation with special procedures[24]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	Torture (9–18 November 2008) Arbitrary detention (8–14 July 2007) Freedom of expression (2–7 December 2002)	Mercenaries (16–20 August 2010)
Visits requested	Human rights defenders Mercenaries	Independence of judges and lawyers
Responses to letters of allegations and urgent appeals	During the period under review seven communications were sent to the Government, to which there were no replies.	

15. The Working Group on the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination stated that it was grateful to the Government for its invitation, but regretted the lack of transparency and the lack of cooperation on the part of the authorities during its visit.[25]

16. In 2010, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment expressed regret that, despite the Government's earlier commitment to grant him access to all places of detention, he was unable to verify allegations against the military because he was denied access to military detention facilities.

He was very concerned that he was denied access to main police stations (Malabo and Bata) when attempting to undertake follow-up visits.[26]

17. In August 2012, the Working Group on Arbitrary Detention (WGAD) rendered its opinion that the detention of Wenceslao Mansogo, a physician and Secretary for International Relations and Human Rights of the political party CPDS, a legal opposition party, was arbitrary. It called upon the Government to immediately release him and recommended that it consider granting him appropriate compensation for harm caused to him. WGAD also called upon the Government to be more cooperative in the future, in particular by replying to its communications in a timely manner, in accordance with the relevant Human Rights Council resolutions.[27]

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

18. In 2010, OHCHR reported on the process initiated in Equatorial Guinea for follow-up of recommendations from international and regional human rights mechanisms.[28] In 2011 and 2012, representatives from Equatorial Guinea supported the realization of and participated in sensitization activities organized by the Subregional Centre for Human Rights and Democracy in Central Africa on subjects such as the rights of persons with disabilities, the rights of migrant workers, trafficking in persons and human rights-based principles.[29] Cooperation with the Centre was not always forthcoming, and planned activities aimed at promoting democracy and governance in Equatorial Guinea had to be cancelled because the Centre did not receive authorization from the Government.[30] OHCHR provided legal advice on a draft law amending the founding law of the human rights institution of Equatorial Guinea with a view to improving its effectiveness and visibility.[31]

III. Implementation of international human rights obligations

A. Equality and non-discrimination

19. CEDAW expressed deep concern at the persistence of patriarchal attitudes and deep-rooted stereotypes concerning the roles and responsibilities of women, and of entrenched harmful practices such as forced and early marriages, levirate and mistreatment of widows, dowry-related violence and polygamy in the State party. CESCR raised similar concerns.[32] CEDAW urged Equatorial Guinea to put in place a comprehensive strategy to eliminate such practices and stereotypes that discriminate against women, and to monitor and review the measures taken in order to assess their impact and to take appropriate action. CESCR made similar recommendations.[33]

20. CEDAW urged Equatorial Guinea to establish a legislative basis for the adoption of temporary special measures to accelerate women's substantive equality with men, in particular to increase the participation of women in political decision-making positions, the judiciary and the civil service.[34]

21. CEDAW was concerned at the existence of a dual system of law, civil and customary, which has resulted in deep and persistent discrimination against women in relation to issues such as child custody, division of property acquired during the marriage and succession. It was concerned that women married in accordance with customary rules do not have access to civil courts to defend their rights.[35]

22. CEDAW called upon Equatorial Guinea to eliminate discrimination against women in all matters relating to marriage, family relations and succession by: revising the draft

Personal and Family Code and the Bill on Customary Marriages; and, inter alia, prohibiting polygamy; raising the minimum age of marriage for women to 18 years; guaranteeing equal inheritance and succession rights to women; recognizing the full legal capacity of women; ensuring that traditional tribunals do not discriminate against women on any issues; and putting in place judicial safeguards for traditional and civil marriages with a view to ensuring non-discrimination of women.[36]

23. CEDAW recommended that Equatorial Guinea prioritize the elaboration and adoption of a comprehensive, result-oriented gender-equality policy and related plan of action with specific indicators and targets. It further recommended that the capacity of the Ministry of Social Affairs and the Status of Women (MINASPROM) be strengthened.[37]

B. Right to life, liberty and security of the person

24. In 2011, the Working Group on mercenaries recommended that the Government consider abolishing the death penalty, or at least imposing a moratorium on executions, and acceding to ICCPR-OP.[38]

25. The Working Group received information that the Government had arrested seven foreigners and nine nationals of Equatorial Guinea in relation to the 17 February 2009 attack on the presidential palace by alleged mercenaries. The Working Group was particularly concerned at the information that on 21 August 2010, three former military officers and one civilian were executed after a summary military trial in which they were found guilty on treason and terrorism charges.[39] The Working Group strongly condemned the execution which followed a summary trial that clearly lacked due process.[40] The Working Group was concerned that two other civilians were sentenced in the same military trial although they had been acquitted on 5 April 2010 by a first instance civilian court.[41] The Working Group recommended that the Government provide full information in a transparent manner regarding the attack on the presidential palace and, in particular that all judgements rendered in the criminal cases relating to the attack be made available to the public.[42]

26. The Working Group on mercenaries was unable to obtain information on how the four men who were executed were brought back to Equatorial Guinea from the third country in which they had taken refuge. They appeared not to have been subjected to formal extradition procedures.[43] In 2010, the SR on Torture recommended that Equatorial Guinea refrain from using secret detention and carrying out abductions in neighbouring countries.[44]

27. The Working Group regretted the lack of information on the death while under detention of one or possibly two foreign fishermen, who were arrested immediately after the armed attack on the presidential palace on 17 February 2009. The Working Group urged the Government to provide full information on any investigations carried out into the circumstances leading to those deaths.[45]

28. In 2010, the Special Rapporteur on the question of torture recommended that the Government urgently end secret detention and revise the national criminal law framework with a view to implementing international minimum standards, including introducing effective habeas corpus proceedings.[46] In 2013, four special procedures mandate holders sent a communication to Equatorial Guinea concerning the alleged arbitrary detention of 11 people for trying to organize a political rally in Malabo on 15 May 2013.[47] In 2012, two special procedures mandate holders requested information about the alleged arbitrary detention of a human rights defender.[48]

29. In 2010, the Special Rapporteur on the question of torture concluded that torture was systematically used by the police, in particular at the central police stations in Bata and Malabo.[49]

30. CEDAW regretted that Equatorial Guinea had neglected the adoption of specific legislation, policies and programmes to address all forms violence against women. It urged Equatorial Guinea to, inter alia: expedite the adoption of the Comprehensive Protection Bill to Prevent, Punish and Eliminate Violence against Women and ensure strict enforcement thereof; develop a national strategic action plan for the prevention, protection and punishment of violence against women and, accordingly, revise and implement the Multisectoral Programme to combat gender-based violence; review and amend the relevant sections of its Criminal Code and its criminal procedural rules to fully address all forms violence against women, including by criminalizing marital rape with no preconditions.[50]

31. In 2010, the Special Rapporteur on the question of torture stated that the overall conditions in police and gendarmeries holding cells showed complete disregard for the dignity of the detainees and contravened international standards and that although the physical conditions in penitentiary institutions had improved over recent years, there was still some overcrowding and heavy restrictions on detainees.[51] CEDAW recommended that Equatorial Guinea address the situation of women in prisons and protect women inmates from all forms of violence, in particular sexual harassment and sexual violence.[52] En 2012, el Relator Especial sobre la cuestión de la tortura expresó su preocupación sobre la falta de separación de mujeres y hombres así como de menores de edad y adultos, y por la falta de un sistema adecuado para el registro de las detenciones y el uso de aislamiento y otros medios de limitar el movimiento de los reclusos durante períodos prolongados. El Relator Especial consideró un paso positivo el convenio que facilita visitas periódicas de los delegados del Comité Internacional de la Cruz Roja a los centros penitenciarios.[53]

32. CEDAW expressed its concern about the situation of women in prisons, in particular foreign women. It was also concerned at reports indicating that women inmates were extremely vulnerable to sexual harassment and sexual violence by their co-prisoners or male guardians.[54]

33. CEDAW was concerned at the insufficient implementation of Law 1/2004 on Smuggling of Migrants and Trafficking in Persons. CEDAW was also concerned that the oil boom had increased the phenomenon of trafficking in persons and about the reported increase in the exploitation of prostitution. It regretted that Equatorial Guinea had not yet adopted a regulatory framework nor devoted adequate resources to address the exploitation of prostitution. CEDAW recommended that Equatorial Guinea: ensure the enforcement of Law 1/2004; conduct an assessment study of the extent of the phenomenon of trafficking in persons; and develop and implement a national plan with a result-oriented approach, including specific indicators and targets, in line with the United Nations Convention against Transnational Organized Crime and the Palermo Protocol; adopt a regulatory framework to combat the exploitation of prostitution, as well as measures aimed at discouraging male demand for prostitution; address the root causes of prostitution, including poverty, and take measures to provide women with economic alternatives to prostitution as well as assistance and rehabilitation to women and girls exploited in prostitution.[55]

34. The Working Group on mercenaries recommended that the Government consider developing national legislation to criminalize mercenarism and mercenary-related acts and ensure that anyone accused of involvement in a mercenary-related incident is tried by a competent, independent and impartial tribunal and in compliance with international human rights standards, including with regard to the application of the death penalty.[56]

C. Administration of justice, including impunity, and the rule of law

35. In 2010, the Special Rapporteur on the question of torture highlighted that in order for Equatorial Guinea to comply with its obligations under both international human rights law and its Constitution, it was indispensable that it undertake a comprehensive institutional and legal overhaul by establishing law enforcement bodies based on the rule of law, an independent judiciary, and effective monitoring and accountability mechanisms.[57]

36. In 2010, the Special Rapporteur found impunity to be practically total, and stated that except for one case, no alleged perpetrator of torture has been brought to justice.[58]

37. CESCR recommended that Equatorial Guinea redouble its efforts to combat corruption with a view to preventing the diversion of public resources and bringing those responsible to justice.[59]

38. CEDAW recommended that Equatorial Guinea: establish legal complaint mechanisms and ensure that women have easy and affordable access to them; guarantee women's effective access to justice, and ensure that the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol are made an integral part of legal education and of the training of judicial officers.[60]

39. The Working Group on mercenaries called upon the Government to ensure the independence of the judiciary, and transparent and efficient administration of justice.[61]

D. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

40. UNESCO asserted that media freedom in the country was strictly controlled and that censorship was widespread in the country, so much so that the local press was not allowed to report on events surrounding the Arab Spring in 2011. Foreign journalists have difficulty entering the country.[62] The Working Group on mercenaries called upon the Government to ensure free political participation.[63]

41. UNESCO encouraged Equatorial Guinea to initiate the introduction of a freedom of information law in accordance with international standards, to decriminalize defamation and place it in the civil code in line with international standards.[64]

42. UNESCO did not record any killings of journalists in Equatorial Guinea between 2008 and 2012, but stated that there had been, however, reports of journalists subjected to harassment and attacks, including orders by the authorities to close radio stations. UNESCO recommended that Equatorial Guinea ensure that journalists and media workers are able to practice their profession in a free and safe environment and that it investigate all attacks on them.[65]

43. CESCR was concerned by reports indicating that human rights activists were subjected to intimidation and harassment, and urged Equatorial Guinea to adopt all measures necessary to protect them and ensure that perpetrators of such acts were brought to justice.[66]

44. CEDAW remained concerned at the low representation of women in politics as well as in key positions in the judiciary and in public administration. CEDAW urged Equatorial Guinea to take measures to increase the participation of women in political and public life, in particular in decision-making positions.[67]

45. CEDAW was concerned at the legal and administrative obstacles hindering the creation of women's associations and preconditions to collaboration with MINASPROM. It urged Equatorial Guinea to involve non-governmental organizations, in particular women's

associations, in the design and implementation of policies, programmes and measures aiming at the advancement of women as well as in the reporting process to the Committee.[68]

E. Right to work and to just and favourable conditions of work

46. CEDAW was concerned at the State party's limited understanding of its obligations under the Convention to eliminate discrimination against women in the area of employment by public and private actors. It was also concerned at the non-existence of trade unions and the non-recognition of the right to collective bargaining as mechanisms to eliminate discrimination.[69]

47. CEDAW urged Equatorial Guinea to: fully familiarize itself with the principle of equal pay for work of equal value and implementation strategies; and adopt policies and take all necessary measures for achieving the substantive equality of men and women in the labour market, eliminating occupational segregation and closing the gender wage gap.[70]

F. Right to social security and to an adequate standard of living

48. The Working Group on mercenaries stated that the dramatic increase in oil revenues had not resulted in a corresponding increase in the living standards of the local population; instead, it has been accompanied by a growing number of allegations of corruption against the Government.[71] In 2012, CESCR encouraged Equatorial Guinea to honour its commitment to raise the percentage of its budget devoted to the social sector in the coming fiscal year.[72]

49. CESCR was concerned by reports of high levels of poverty in the country, especially in rural areas and among women, despite a high national income. It recommended that Equatorial Guinea allocate the maximum amount of its available resources for social services and assistance, and step up its efforts to combat poverty, especially in rural areas. CESCR also recommended that Equatorial Guinea devote particular attention to the economic, social and cultural rights of the most disadvantaged and marginalized persons and groups, such as persons with disabilities, women in rural areas and persons living with HIV/AIDS.[73]

50. CEDAW called upon Equatorial Guinea to: formulate and implement specific measures and strategies to combat women's poverty; ensure rural women's participation in decision-making processes at the community level; and address customs and traditional practices which affect the full enjoyment of rural women to their right to property as well as to access credit and capital.[74]

51. CESCR encouraged Equatorial Guinea to continuously evaluate the effects of legislative reforms and other measures on the enjoyment of economic, social and cultural rights.[75]

G. Right to health

52. CEDAW took note of the measures to improve women's access to health care, including through the implementation of the Programme to Prevent Mother-to-Child HIV/AIDS Transmission. However, it was concerned at the health situation of women, in particular the high rate of teenage pregnancies and sexually transmitted diseases. CEDAW appreciated the adoption of Law No. 3/2005 on STDs and HIV/AIDS.[76] CESCR took note of the adoption of various measures to stop the spread of HIV/AIDS.[77]

53. CEDAW recommended that Equatorial Guinea: take all necessary measures to improve women's access to reproductive health care and related services; reinforce education on sexual and reproductive health and rights; increase knowledge of and access to affordable contraceptive methods and adopt measures to reduce the incidents of maternal mortality.[78]

H. Right to education

54. UNESCO recommended that Equatorial Guinea be encouraged both to continue to guarantee the allocation of adequate resources for the effective implementation of the educational programmes, and to intensify its efforts to address low enrolment and literacy rates in primary and basic education.[79]

55. CESCR took note of the adoption of the Education Act, the National Plan on Education for All, and the Educational Development Programme for Equatorial Guinea.[80]

56. CEDAW was concerned that sexual harassment at school, teenage pregnancies and early marriages continued to prevent adolescent girls from finishing their secondary education. It urged Equatorial Guinea to, inter alia, prioritize the implementation of the National Literacy Programme for Women and Girls, integrate gender-specific concerns of women and girls and address the root causes of the high dropout rate of adolescent girls.[81]

57. UNESCO stated that there was no specific policy concerning information and communication technologies. It mentioned that a recent initiative had been enacted on a platform called PRÉPALY (addressed to high school students) in advanced scientific and technological studies.[82]

I. Cultural rights

58. UNESCO stated that the capacities at both national and local levels to develop and implement cultural activities were extremely limited. It recommended that Equatorial Guinea pursue its policy in building capacities to develop its cultural sector in line with the recommendations of the Bata Economical Conference and put emphasis on the effective implementation of UNESCO's cultural Conventions ratified by Equatorial Guinea.[83]

J. Migrants

59. In 2010, the Special Rapporteur on the question of torture received credible reports that immigrants ran an increased risk of being subjected to discriminatory practices and sometimes even physical abuse by other detainees with the tacit approval of the police. The Special Rapporteur reinforced the recommendation made by the Working Group on Arbitrary Detention to fully afford detained immigrants all the rights recognized by international instruments, including their right to contact their consular representations.[84]

Notes

[1] Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Equatorial Guinea from the previous cycle (A/HRC/WG.6/6/GNQ/2).

[2] The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination

ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.

[4] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[5] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).

[6] International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

[7] International Labour Organization Convention No.169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No.189 concerning Decent Work for Domestic Workers.

[8] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III).

[9] E/C.12/GNQ/CO/1, paras. 18 and 19.

[10] CEDAW/C/GNQ/CO/6, paras. 6 and 52.

[11] Ibid., para. 34.

[12] UNESCO submission to the UPR on Equatorial Guinea, para. 22.
[13] A/HRC/18/32/Add.2, para. 56.
[14] CEDAW/C/GNQ/CO/6, para. 13
[15] Ibid., paras. 13 and 14.
[16] Ibid., para. 46.
[17] Ibid., para. 17.
[18] Ibid., paras. 11 and 12.
[19] Ibid., para. 5.
[20] E/C.12/GNQ/CO/1, para. 20; CEDAW/C/GNQ/CO/6, paras. 8, 10 and 51.
[21] The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women
CAT	Committee against Torture
CRC	Committee on the Rights of the Child

[22] UNESCO submission to the UPR on Equatorial Guinea, paras. 8–10 and 23.
[23] CEDAW/C/GNQ/CO/6, para. 53.
[24] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
[25] A/HRC/18/32/Add.2, paras. 3 and 52.
[26] A/HRC/13//39/Add.4, paras. 3 and 4.
[27] A/HRC/WGAD/2012/31, paras. 3, and 22 –24.
[28] OHCHR Report 2010, OHCHR in the Field, p. 122.
[29] OHCHR Report 2012, OHCHR in the Field, p. 191 and OHCHR Report 2011, OHCHR in the Field, p. 219.
[30] A/68/390, para. 50.
[31] A/HRC/23/27, para. 28.
[32] CEDAW/C/GNQ/CO/6, para. 23; E/C.12/GNQ/CO/1, para. 15.
[33] CEDAW/C/GNQ/CO/6, para. 24; E/C.12/GNQ/CO/1, para. 15.
[34] CEDAW/C/GNQ/CO/6, paras. 21, 22 and 39.
[35] Ibid., para. 43.
[36] Ibid., paras. 43 and 44.
[37] Ibid., paras. 15 and 18.
[38] A/HRC/18/32/Add.2, para. 53; see also A/HRC/13//39/Add.4, para. 76.
[39] OHCHR, "Equatorial Guinea: UN Independent Experts express serious concern at executions of four men after concluding their mission to Equatorial Guinea", press release, 27 August 2010, available from http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10293 &LangID=E.
[40] A/HRC/18/32/Add.2, para. 39; see also A/HRC/17/30/Add.1, para. 314.
[41] OHCHR press release of 27 August 2010 (see footnote 39 above).
[42] A/HRC/18/32/Add.2, para. 52.
[43] OHCHR press release of 27 August 2010 (see footnote 39 above).
[44] A/HRC/13//39/Add.4, para. 76.
[45] A/HRC/18/32/Add.2, para. 54; also OHCHR press release of 27 August 2010 (see footnote 39 above).
[46] A/HRC/13//39/Add.4, para. 76 (a).
[47] A/HRC/24/21, p. 58.
[48] A/HRC/22/67, p. 141.
[49] A/HRC/13/39/Add.4, para. 68.
[50] CEDAW/C/GNQ/CO/6, paras. 25 and 26.
[51] A/HRC/13/39/Add.4, paras.70 and 71.
[52] CEDAW/C/GNQ/CO/6, para. 42; see also A/HRC/13/39/Add.4, para. 73.
[53] A/HRC/19/61/Add.3, para. 20; see also A/HRC/13/39/Add.4, para. 76.
[54] CEDAW/C/GNQ/CO/6, para. 41.
[55] Ibid., paras. 27 and 28.
[56] A/HRC/18/32/Add.2, paras. 53 and 56.

[57] A/HRC/13/39/Add.4, paras. 75 and 76 (a).
[58] Ibid., para. 74.
[59] E/C.12/GNQ/CO/1, para. 13.
[60] CEDAW/C/GNQ/CO/6, para. 16.
[61] A/HRC/18/32/Add.2, para. 58.
[62] UNESCO submission to the UPR on Equatorial Guinea, paras. 17 and 21.
[63] A/HRC/18/32/Add.2, para. 58.
[64] UNESCO submission to the UPR on EG, paras. 18, 19, 28 and 29.
[65] Ibid., paras. 21 and 31.
[66] E/C.12/GNQ/CO/1, para. 14.
[67] CEDAW/C/GNQ/CO/6, paras. 29 and 30.
[68] Ibid., paras. 19 and 20.
[69] Ibid., para. 33.
[70] Ibid., para. 34.
[71] A/HRC/18/32/Add.2, para. 16.
[72] E/C.12/GNQ/CO/1, para. 13.
[73] Ibid., para. 16.
[74] CEDAW/C/GNQ/CO/6, paras. 38–40.
[75] E/C.12/GNQ/CO/1, para. 17.
[76] CEDAW/C/GNQ/CO/6, paras. 4 and 35.
[77] E/C.12/GNQ/CO/1, para. 10.
[78] CEDAW/C/GNQ/CO/6, para. 36.
[79] UNESCO submission to the UPR on Equatorial Guinea, paras. 25 and 26.
[80] E/C.12/GNQ/CO/1, para. 10.
[81] CEDAW/C/GNQ/CO/6, paras. 31 and 32; see also UNESCO submission to the UPR on Equatorial Guinea, para. 24.
[82] UNESCO submission to the UPR on Equatorial Guinea, paras. 4 and 7.
[83] Ibid., paras. 14 and 27.
[84] A/HRC/13/39/Add.4, paras. 72 and 76 (h).

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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Equatorial Guinea*

The present report is a summary of 9 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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I. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

1. JS2-EGJUSTICE-RIDH reported that a number of treaties have not been ratified and that no steps have been taken towards their ratification (as recommended in its previous review).[2] AI stated that Equatorial Guinea agreed to consider ratifying the Optional Protocol to the Convention against Torture (OP-CAT) and that however, no steps have been taken in that direction.[3] HRW recommended Equatorial Guinea to ratify the Rome Statute.[4] AI recommended ratifying the Second Optional Protocol to the International Covenant on Civil and Political rights (ICCPR-OP 2), aiming at the abolition of the death penalty.[5] JS3-GDDHH-CNOSC recommended acceding to and ratifying the African Charter on Democracy, Elections and Governance; the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights; the African Youth Charter; the Convention on the Rights of Persons with Disabilities; and the African Union Convention on Preventing and Combating Corruption.[6]

2. Constitutional and legislative framework

2. JS1 reported that the 2011 referendum to amend the Constitution and the 2013 legislative elections had been beset by a series of abuses and harassment of the opposition.[7] JS3 pointed out that the 2011 constitutional referendum had been publicly announced only a few days before the voting date.[8] HRW informed that the referendum had not been shared with political parties until the day before the referendum campaign opened.[9] JS2 affirmed that the commission appointed to draft the Constitutional reforms lacked independence.[10] HRW affirmed that the National Election Commission was controlled by the ruling party[11] and recommended establishing an independent electoral body.[12] JS1 reported that the Government had prevented the opposition from accessing the national media during the constitutional referendum and the elections of 26 May 2013.[13] JS1 recommended introducing an effective policy framework for consultations and negotiations with political parties and civil society with a view to creating electoral conditions that guaranteed greater transparency and electoral credibility.[14]

3. AI stated that the revised Constitution fails to increase the limited human rights provisions already enshrined in the 1995 Constitution, which are routinely violated.[15] HRW stated that the 2011constitutional changes place term limits on the presidency, but otherwise entrench and expand the President's unchecked powers, including allowing him to name 15 members of Senate.[16]

4. JS2 asserted that with the exception of law 6/2006 on the Prevention and Punishment of Torture, which reflects some of the provisions of the Convention against Torture, no legislation has been enacted to incorporate provisions of treaties into national law.[17] AI stated that the Penal and Penal Procedures Codes, breach Equatorial Guinea's international human rights commitments and its Constitution.[18]

3. Institutional and human rights infrastructure and policy measures

5. JS1-CPDS-ASODEGUE said that they were not aware whether the Government had organized national consultations to discuss the human rights situation in the country since the 2009 universal periodic review, or whether it had publicly announced the organization of an inclusive process to follow up the recommendations of that review.[19] RWBI

recommended to establish sincere and effective cooperation mechanisms with UPR and implement accepted recommendations.[20]

6. JS2 affirmed that the new Constitution gave power to the President to appoint the Ombudsman and the members of an Audit Court, contrary to the Paris principles.[21] HRW highlighted that the "independent" oversight bodies created under the new constitution had not been established and that the president declared that the new presidential term limits would not apply retroactively.[22] AI expressed concern that the ombudsman is appointed by the President[23] and that, given the lack of independence of state institutions responsible for human rights, it is all the more important that the ombudsman is established in accordance with the Paris Principles and fully independent of government and presidential control.[24] JS3 recommended that the Office of the Ombudsman should begin operating by August 2014 and should be provided with adequate resources.[25]

7. JS3 noted that there was no decree defining the functions of the Government's Human Rights Department.[26] JS3 stated that the National Human Rights Commission was not independent, in view of the fact that the President of the Parliament was also the President of the Commission,[27] and recommended reforming the status of the Commission by December 2014.[28]

8. JS3 recommended continuing and extending activities and training on the promotion and protection of human rights to all members of the Administration, in cooperation with civil society.[29]

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

9. JS2 stated that Equatorial Guinea has thus far ignored its reporting obligations under almost all of the ratified treaties,[30] and that it failed to present its initial report to the Committee on Economic and Social Rights in May 2012 (initially due in 1990).[31] HRW recommended to report promptly to relevant treaty bodies.[32]

2. Cooperation with special procedures

10. HRW recommended permitting and clearly authorizing UN human rights experts to enter Equatorial Guinea, travel freely, meet with a range of official and private persons, and carry out independent work without hindrance or risk of retaliation against those who share information.[33] JS1 noted that it was not known whether the State had addressed an open invitation to the special procedures.[34] JS3 recommended issuing an open, standing invitation to the special procedures by September 2014 and agreeing prompt visits.[35]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

11. The Bubi indigenous people of the island of Bioko (EPIBIB) reported that they were the victims of subjugation, total discrimination and contempt.[36] EPIBIB noted that members of the Bubi indigenous people could not work in the public administration because of discrimination against that group.[37] EPIBIB recommended that the State should respect their freedom to promote the United Nations Declaration on the Rights of Indigenous Peoples.[38]

2. Right to life, liberty and security of the person

12. HRW reported that Equatorial Guinea tortured, abducted, and forced to confess to participating in an attack on the presidential palace,[39] four nationals living in exile who were held in secret detention and then executed in August 2010 following a military trial that violated international human rights standards.[40] JS1 said that the four persons had been tried summarily by a military court in violation of the law and that the executions were considered political assassinations.[41] AI asserted they were executed in secret within one hour of being sentenced, deprived of their right to appeal and to seek clemency.[42]

13. JS3 stated that, despite the commitments undertaken, the death penalty continued to be applied,[43] and recommended introducing a moratorium on the death penalty by July 2014.[44] AI stated that death penalty has been applied to political opponents convicted of crimes against the state in unfair trials, usually by military courts.[45]

14. AI stated that since 2009, several people, including foreigners, have been killed at road blocks after refusing to pay bribes with no investigations into most of these cases.[46] JS3 noted that police investigation methods were outdated; there was no forensic police; autopsies were not carried out in murder cases and the evidence obtained was inadequate.[47] JS1 recommended that suspicious, violent deaths should be investigated.[48] EPIBIB recommended that the enforced disappearance, torture and deaths of Bubis should be investigated.[49]

15. JS2 affirmed that despite the existence of a law forbidding it, torture is used by security personnel against civilians.[50] JS2 recommended to carry on independent, thorough and impartial investigations and prosecute not only those who carry out acts of torture but also the political authorities who order or condone it.[51] AI stated that torture and other ill-treatments occur mainly in pre-trial detention and that political detainees may be subjected to prolonged incommunicado detention.[52] AI recommended that Equatorial Guinea ensure reparation, including compensation, for victims of torture.[53]

16. JS3 reported that abuse of power was widespread and that it was common for the authorities to use State media for personal motives or for political propaganda purposes.[54] JS2 asserted that the State continues to engage in politically motivated arrests, arbitrary, warrantless, and prolonged incommunicado detentions, and criminal prosecutions to intimidate or punish dissidents.[55] AI asserted that Equatorial Guinea has not fulfilled its commitment to end incommunicado, secret detention and enforced disappearances.[56] AI recommended to disclose the whereabouts of all persons detained and ensure that all detainees are officially registered and have access to their families and lawyers.[57]

17. JS2 stated that the right not to be arbitrarily arrested is easily ignored, as political opponents, whether real or perceived, are routinely harassed, arrested and held for varying periods, often incommunicado and without charge.[58] AI stated that the confinement of political opponents to their areas of origin is a common practice, as it is the secret transfer of detainees to prisons in other parts of the country, and that no steps were taken to end arbitrary arrest and detention of political opponents.[59] JS2 recommended ending the practice of arbitrary arrest to silence critics and ensure that those arrested are brought promptly before a court to determine the legality of their arrest.[60] HRW expressed that judicial processes are used to intimidate or punish those perceived as disloyal to those in power, and that the government also at times detains family members as a form of pressure.[61]

18. AI recommended to ensure that detainees are brought before a judge to determine the legality of their detention within the 72 hours prescribed by law and that those suspected of a criminal offence are promptly charged and tried.[62] JS1 recommended that the Government should guarantee that habeas corpus was used effectively.[63]

19. JS1 recommended that there should be regular follow-up of all prisoners and the exact duration of their sentences so that they were released once they had served their terms and not kept in prison indefinitely.[64] JS1 cited cases of persons held in total solitary confinement without being charged and without access to legal counsel or medical assistance.[65]

20. HRW informed that visits to prisons and jails from lawyers and others indicate that serious abuses continue, including beatings that amount to torture.[66] JS1 referred to prison staff routinely subjecting prisoners to threats and violent and physical abuse, prison overcrowding, a lack of protection for women and girls, a lack of training programmes and social reintegration, and persons who remained in prison despite having served their long sentences.[67] JS3 stated that, although progress had been made in the prison register following visits to prisons by the Attorney-General, the process had not been institutionalized and the prison authorities still did not submit monthly lists of prisoners.[68] JS3 noted that there was no separation between remand prisoners and convicted prisoners and that both women and minors were held in the same quarters as adult men.[69] JS3 recommended establishing a registration and control system for prisons by December 2014 and publishing biannual reports.[70]

21. JS1 recommended allowing civil society and human rights organizations in the country to freely visit places of detention.[71]

22. JS3 referred to the alarming increase in the rape of young girls and the Government's passivity in addressing the issue and punishing those responsible.[72] ACEDEVADEMA noted that women were often the victims of forced labour or subjected to conditions of slavery in domestic servitude, and that they were often the victims of sexual exploitation[73] or were forced to marry.[74]

23. ACEDEVADEMA reported that there continued to be cases of trafficking in persons,[75] largely shielded by the authorities or certain elements thereof,[76] that legislation to prosecute and punish those activities was not applied,[77] that there was no protection or support policy[78] and that the Government had not implemented any of the recommendations of the 2010 universal periodic review, including: ensuring that violence against women and children constitutes a criminal offence, taking further measures to prevent the trafficking of children, intensifying efforts to provide assistance to child victims of trafficking and holding the perpetrators of trafficking accountable.[79] ACEDEVADEMA recommended enhancing the application of the Anti-Trafficking Act to prosecute traffickers and complicit officials, training the police force to investigate cases of trafficking in persons and introducing a national plan against trafficking in persons.[80]

24. ACEDEVADEMA reported that, due to their vulnerability, foreign workers continued to be subjected to involuntary servitude, and that the growth of the oil sector had contributed to greater demand for prostitution services and children working in domestic service, markets and cleaning.[81] ACEDEVADEMA reported that no programme had been implemented to tackle forced child labour.[82]

25. JS3 said that the fact that women were no longer imprisoned for failure to repay their dowry following separation or divorce was an important step forward.[83] JS3 noted that the Government had not taken any measures to effectively combat domestic violence, which continued to be widespread, considering that 63 per cent of women over the age of 15 had been subjected to some form of violence and 32 per cent had been the victims of sexual violence.[84]

26. GIEACPC stated that in Equatorial Guinea corporal punishment of children remains lawful in home, schools, penal institutions and alternative care settings, despite the recommendations to prohibit it by the Committee on the Rights of the Child and the Government's acceptance of relevant UPR recommendations.[85]

27. HRW affirmed that the government's disregard of its human rights commitments is evident in its actions against human rights defenders from Equatorial Guinea who delivered statements to the Human Rights Council in 2010 and that these individuals have faced a variety of repercussions for their criticisms of the government.[86]

3. Administration of justice, including impunity, and the rule of law

28. AI stated that underlying violations such as torture and arbitrary detentions is impunity. AI affirmed impunity is virtually guaranteed by the absence of the rule of law and a weak and politicised judicial system which itself often violates human rights.[87] AI added that only rarely are human rights violations investigated and perpetrators brought to justice.[88] AI asserted that police and soldiers continue to enjoy almost total impunity for unlawful killings, including extrajudicial executions.[89]

29. HRW asserted that the actual President, who is designated as the country's "chief magistrate" and chairs the body that oversees judges, exercises inordinate control over the judiciary, which lacks independence, and judges say they need to consult with the office of the president regarding their decisions in sensitive cases.[90]

30. JS3 said that, under the new Constitution, the President of the Government was both the President of the Higher Council of the Judiciary and the Chief Magistrate of the Nation, and had the authority to directly appoint the President and the members of the Supreme Court, the Constitutional Court and the Court of Auditors.[91] JS3 noted that the situation was in violation of the principle of the separation of powers and demonstrated the lack of checks and balances on the executive branch.[92] JS3 said that 35 per cent of current members of the Senate were also members of the Government and that it was expressly prohibited by law for members of parliament to hold another public office.[93]

31. JS3 pointed out that, in practice, the judiciary lacked independence and allowed impunity for official acts.[94] JS2 affirmed that judges lack the training and independence to adjudicate, hold security forces accountable for human rights violations, and protect the due process rights of victims.[95] HRW recommended to undertake a comprehensive reform to ensure judicial independence and otherwise bring the judicial system into compliance with the international human rights instruments to which Equatorial Guinea is a party.[96]

32. JS3 indicated that remedies of appeal and cassation were rarely applied because of a lack of adequate legal representation and poor knowledge of constitutional rights, and that the necessary measures for the establishment of an effective system of court-appointed public defenders had not been taken.[97]

33. AI asserted that military courts have been used to try civilians in the past four years where judges and defence counsels are appointed by military or political authorities, and that political opponents and other critics have been tried on trumped-up charges usually of plotting against government and that whether tried by a military or civilian court, these trials fail to meet international standards of fairness.[98] AI informed that courts accept confessions obtained under torture, including in cases where this constitutes the sole evidence against defendants.[99]

34. AI recommended ensuring that all trials are conducted in accordance with international standards and that no one is tried twice for the same offence, that military courts are used solely to try military personnel on purely military matters, and that statements made under torture are not admitted as evidence in court.[100]

35. JS3 noted that, although Equatorial Guinea is the third largest oil producer in sub-Saharan Africa, it does not regularly publish its oil revenue figures.[101] HRW asserted that there is high-level corruption and mismanagement of public funds and the government's investments in social spending are directed to projects of limited benefit to the most

vulnerable.[102] JS3 stated that there were no mechanisms to monitor expenditure,[103] and recommended adopting a law on access to information by February 2015 and enhancing the independence, operability and resources of the Anti-Corruption Division of the Attorney-General's Office.[104] JS3 recommended establishing transparent and efficient mechanisms for access to public funds.[105] HRW recommended to establish, in consultation with civil society, a clear and transparent fiscal policy to manage revenues, combat official corruption and account for the use of public funds, including by publishing all government revenues, budgets, and spending; conducting and publishing annual audits of all government accounts, including those held abroad; and enforcing a requirement that public officials declare their assets.[106]

4. Right to marriage and family life

36. ACEDEVADEMA noted that trafficked minors were often in the custody of a person who was not a family member, were forced to work for the financial benefit of another family, without being able to leave, and that some girls were forced to marry.[107] ACEDEVADEMA reported that the Government had not put in place any policies for the protection of such minors.[108]

5. Freedom of movement

37. EPIBIB recommended ensuring that persons were allowed to travel freely, without having to request Government permission, and that Bubi women, men and young people living on Bioko island should in future be allowed to freely attend the United Nations forums for indigenous peoples and freely return to the island.[109] EPIBIB recommended removing the military checkpoints at the entrance to Bubi villages.[110]

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

38. RWBI asserted that almost all media are state-owned, and remain under the severe censorship of the Ministry of Information, and that no trade unions or journalist defence associations exist.[111] JS1 noted that there was an absolute monopoly over the State media, to which the opposition did not have access.[112] HRW informed that only a few private media outlets exist in Equatorial Guinea, and they are generally owned by persons close to the President.[113] JS3 reported that freedom of expression, thought and opinion was severely curtailed, in part through legal requirements, for example the need for all journalists to be registered beforehand with the official registry.[114] RWBI stated that the 1992 Law on the Press, Publishing, and Audiovisual Media allows the government to censor all media publications, in direct opposition with the UPR recommendations.[115]

39. HRW stated that journalists from state-owned media outlets are unable to criticize the government without risk of censorship or reprisal, while being suspended, sacked or detained, including since the 2009 UPR review.[116] JS2 asserted that journalists are subject to harassment, dismissal and even arrest when they show any degree of independence.[117] RWBI urged the government to improve its policy and attitude regarding freedom of information and to end censorship, mass surveillance, reprisals and harassment against those who provide news and information, allow trade unions and journalist protection associations, and provide a favourable environment for a free and pluralistic media.[118]

40. HRW informed of the use of visa denials, surveillance, harassment, and detentions to hamper independent foreign journalists.[119] HRW recommended authorizing foreign nongovernmental organizations and journalists to enter Equatorial Guinea, travel freely, meet with a range of official and private persons, and carry out independent work without hindrance or risk of retaliation against those who share information.[120]

41. JS3 reported that human rights defenders faced systematic reprisals and could not act freely and independently.[121] JS2 recommended to refrain from intimidating, harassing, arresting and incarcerating human rights defenders to prevent their legitimate human rights work.[122] JS3 drew attention to legal restrictions impeding freedom of association and restricting the activities of NGOs.[123] JS2 affirmed that human rights organizations cannot register or operate as such, and that individual human rights defenders are routinely harassed, risk losing their jobs or professional licenses, are frequently arrested without a warrant and occasionally convicted on spurious charges, mentioning a number of cases.[124] EPIBIB recommended that Bubis should have the freedom to form associations and carry out preparatory activities ahead of the 2014 World Conference on Indigenous Peoples.[125]

42. HRW stated that opposition members are subject to arbitrary arrest and other forms of harassment and, at times, criminal prosecution, while political parties aligned with the ruling party, have funding, and access to national media.[126] HRW recommended to respect the right of opposition members to travel freely, to hold meetings, express their views, and have access to media, as well as to cease harassment of and reprisals against domestic critics.[127] JS1 invited the Government to pledge not to take reprisals against opposition activists.[128] AI recommended to bring to an immediate end the practice of arresting the families of political opponents as hostages.[129]

43. RWBI asserted that, ahead of the parliamentary and municipal elections, opposition websites and Facebook were blocked.[130] JS2 stated that since May 12, all affected sites remain inaccessible via the government provided networks, while the government's and the ruling party's web sites were never interrupted.[131] JS1 recommended freeing up public access to the Internet and allowing the opposition to have access to their websites and social networks.[132]

44. JS2 stated that freedom of assembly is severely curtailed.[133] JS3 reported that anti-Government demonstrations were practically prohibited[134] and that the law imposed extensive restrictions on freedom of assembly and demonstration, including compulsory attendance by the authorities at all meetings and restrictions on the content of advertisements.[135] AI stated that although the law does not require official permission to hold demonstrations, these are not allowed and organisers are often arrested.[136] AI recommended to ensure that nobody is arrested for exercising their rights to freedom of expression, assembly and association.[137]

45. JS3 stated that, generally speaking, the Government systematically excluded the majority of civil society groups from formulating public policy.[138] JS2 state that on April 2010 the Extractive Industries Transparency Initiative board rejected Equatorial Guinea's candidacy for failure to comply with the organization's rules, which require inter alia, genuine participation of civil society.[139]

7. Right to work and to just and favourable conditions of work

46. ACEDEVADEMA said that the majority of workers in the construction sector and industry in Malabo and Bata were exploited by the companies that hired them.[140]

8. Right to social security and to an adequate standard of living

47. HRW affirmed that Equatorial Guinea has a per-capita gross domestic product of $32,026, the highest wealth ranking of any African country, yet it has by far the largest gap between its per-capita wealth and its human development score.[141] JS3 reported that poverty rates had not fallen in the past four years (at least 75 per cent of the population is still living in poverty).[142] JS3 pointed out that a large proportion of the population still had no access to basic services and that 77 per cent lived on less than 2 dollars a day.[143] HRW stated that half of the population of Equatorial Guinea lacked clean water or basic sanitation facilities

in 2012.[144] JS2 stated they observed no significant improvements in the attainment of rights to health, education, water and sanitation, despite significant government investment in lavish resorts and other infrastructure projects that fail to prioritize or address poverty alleviation.[145]

48. JS3 reported that, in 2012–2013, only 22 per cent of the budget was allocated to social spending, which was well below the 66 per cent average in the countries of the Economic Community of Central African States.[146] JS3 recommended increasing the share of the budget allocated to social spending to at least 45 per cent of the total, establishing independent monitoring and evaluation mechanisms and developing a national poverty reduction plan with an independent monitoring mechanism.[147]

9. Right to health

49. JS3 referred to the poor state of the infrastructure in hospitals, which lacked equipment and adequate supplies.[148] JS3 pointed out that there was no transparency with respect to the public funding of hospitals and the general public still had difficulty in accessing medical services.[149]

50. JS3 said that, according to official data, the maternal mortality rate was 352 deaths per 100,000 inhabitants, 21.8 per cent of which were due to HIV/AIDS, and that in practice most of the cost of health services was paid directly by the patients. No measures were being taken to increase medical cover, although only 9 per cent of women and 16 per cent of men were covered by social security.[150] JS3 indicated that the national programme to combat HIV/AIDS had serious shortcomings, including a lack of financial and human resources.[151]

51. JS3 commended the measures taken to combat malaria but noted that, nonetheless, malaria was the cause of 38 per cent of deaths among children under 5, and in general, the infant mortality rate was 123 for every 1,000 live births.[152]

52. JS3 recommended establishing the Ministry of Health by December 2014 as well as drawing up a plan to ensure adequate supplies in all hospitals and creating mechanisms for inspecting sanitary conditions and training in private clinics and centres of traditional medicine.[153]

10. Right to education

53. JS3 drew attention to the shortcomings of the education system and the average of 5.4 years of schooling, which had not changed since 2010,[154] noting that the Government had not taken any steps to guarantee the right to free education, that there were still major discrepancies between urban and rural areas, and that there was still a large proportion of teachers with no vocational training.[155]

54. JS3 said that the Government had not taken any measures to promote university education for women and that the national programme to reduce female illiteracy was still at the organizational stage after more than three years.[156]

55. JS3 recommended guaranteeing the quality and coverage of primary education and ensuring that it was free by providing more public schools, reaching agreements with private centres to cover the costs of school fees, establishing compulsory training programmes for all teachers and ensuring that all vacant positions were filled by teacher training college graduates.[157]

11. Cultural rights

56. EPIBIB mentioned the case of the village of Ureka, where the Government had built roads inside a nature reserve, and suggested that existing paths should be adapted instead to generate sustainable development while preserving Bubi traditions.[158]

12. Persons with disabilities

57. JS3 noted that persons with disabilities were discriminated against in all sectors and faced major difficulties in finding employment and that the Government had not taken any steps to promote special education, vocational training or employment for that group of the population.[159] JS3 pointed out that there was no legislation covering persons with disabilities and that the Government had not provided adequate administrative protection measures to facilitate better access to social services for persons with disabilities.[160] JS3 indicated that there was a social assistance programme for persons with disabilities but that it had insufficient resources and limited access to rehabilitation services.[161]

13. Indigenous peoples

58. EPIBIB recommended establishing a constructive dialogue between the Government of Equatorial Guinea and the Bubi people of Bioko island in the United Nations, using the Declaration on the Rights of Indigenous Peoples as the basis for discussions.[162] EPIBIB recommended that Equatorial Guinea should apply a number of the articles of that Declaration.[163]

59. EPIBIB expressed the wish that the Bubi people be able to speak of their right to self-determination on that account being detained, tortured or murdered[164] and recommended that all Bubis from Bioko island who had had to flee the country, including those expelled by the Government, should be allowed to return freely.[165]

60. EPIBIB reminded the Government of Equatorial Guinea that it had signed the International Convention on the Elimination of All Forms of Racial Discrimination and recommended that it should comply with General Recommendation XXI (48) adopted by the Committee on the Elimination of Racial Discrimination in 1996 so as to recognize the right to self-determination of the Bubi people.[166]

14. Migrants, refugees and asylum seekers

61. ACEDEVADEMA noted that African immigrants were particularly vulnerable to being arbitrarily detained by the authorities of Equatorial Guinea, having their property confiscated and subsequently being expelled from the country without explanation.[167]

62. JS2 stated that foreign nationals suspected of being undocumented migrants are frequently targeted, ill-treated by the security forces in periodic raids on their homes and neighbourhoods, beaten, have their property stolen, and are imprisoned and held in inhuman conditions for weeks or months before eventually being deported, often regardless of their legal status in the country.[168]

15. Right to development and environmental issues

63. EPIBIB stated that the three protected nature reserve areas on Bioko island, which were home to animal species that were not found anywhere else in the world, were being plundered despite the fact that the Government had signed treaties on the protection of biodiversity and the environment.[169] EPIBIB noted that the Bubi people of Bioko island were discriminated against when it came to protecting biodiversity and the environment and recommended respecting the protected nature reserve areas.[170]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society
Individual submissions:

AI	Amnesty International, London (United Kingdom);
ACEDEVEMA	Asociación Cultural en Defensa de los Valores y Derechos de la Mujer Africana, Toledo (Spain);
EPIBIB	El Pueblo Indígena Bubi de la Isla de Bioko, (Equatorial Guinea);
GIEACPC	Global Initiative to End all Corporal Punishment of Children, London (United Kingdom);
HRW	Human Rights Watch, New York (United States of America);
RWBI	Reporters Without Borders International, Paris (France);

Joint submissions:

JS1	**Joint submission 1 submitted by:** CPDS: Convergencia para la Democracia Social de Guinea Ecuatorial, Malabo (Equatorial Guinea); and ASODEGUE: Asociación para la Solidaridad Democrática con Guinea Ecuatorial, Madrid (Spain);
JS2	**Joint submission 2 submitted by:** EGJUSTICE: Toward a Just Equatorial Guinea, Washington D.C. (United States of America); and RIDH: International Network of Human Rights, Geneva (Switzerland);
JS3	**Joint submission 3 submitted by:** GDDHH-CNOSCGE: Grupo de Derechos Humanos de la Coordinadora Nacional de Organizaciones de la Sociedad Civil de Guinea Ecuatorial, Malabo (Equatorial Guinea); CEID: Centro de Estudios e iniciativas para el Desarrollo, Malabo (Equatorial Guinea); SEJOF: Sensación del Joven Futuro de Guinea Ecuatorial, Malabo (Equatorial Guinea).

[2] JS2-EGJUSTICE-RIDH, para. 11.
[3] AI, p. 1.
[4] HRW, p. 5.
[5] AI, p. 5.
[6] JS3-GDDHH-CNOSCGE, p. 15.
[7] JS1-CPDS-ASODEGUE, para. 26.
[8] JS3-GDDHH-CNOSCGE, para. 17.
[9] HRW, p. 4.
[10] JS2-EGJUSTICE-RIDH, para. 8.
[11] HRW, p. 4. See also: JS1-CPDS-ASODEGUE, para.26 and JS2-EGJUSTICE-RIDH, para. 8.
[12] HRW, p. 5.
[13] JS1-CPDS-ASODEGUE, para. 32.
[14] JS1-CPDS-ASODEGUE, p. 8.
[15] AI, p. 2.
[16] HRW, p. 4.
[17] JS2-EGJUSTICE-RIDH, para. 10. See also: AI, p. 2.
[18] AI, p. 2.
[19] JS1-CPDS-ASODEGUE, para. 5. See also: JS3-GDDHH-CNOSCGE, para. 14.
[20] RWBI, p. 3.
[21] JS2-EGJUSTICE-RIDH, para. 9. See also: HRW, p. 4.
[22] HRW, p. 4.
[23] AI, p. 2.
[24] AI, p. 2.
[25] JS3-GDDHH-CNOSCGE, p. 15.
[26] JS3-GDDHH-CNOSCGE, para. 13.
[27] JS3-GDDHH-CNOSCGE, para. 13.
[28] JS3-GDDHH-CNOSCGE, p. 15. See also: AI, p. 2.
[29] JS3-GDDHH-CNOSCGE, p. 15.

[30] JS2-EGJUSTICE-RIDH, para. 11.
[31] JS2-EGJUSTICE-RIDH, para. 5.
[32] HRW, p. 5.
[33] HRW, p. 5.
[34] JS1-CPDS-ASODEGUE, para. 5.
[35] JS3-GDDHH-CNOSCGE, p. 15.
[36] EPIBIB, p. 2.
[37] EPIBIB, p. 2.
[38] EPIBIB, p. 5.
[39] HRW, p. 5. See also: JS1-CPDS-ASODEGUE, para. 43.
[40] HRW, p. 5. See also: JS1-CPDS-ASODEGUE, para. 43 and AI, p. 2.
[41] JS1-CPDS-ASODEGUE, para. 5.
[42] AI, p. 2.
[43] JS3-GDDHH-CNOSCGE, para. 20.
[44] JS3-GDDHH-CNOSCGE, p. 15. See also: JS1-CPDS-ASODEGUE, para. 8.
[45] AI, p. 2.
[46] AI, p. 3. See also: JS2-EGJUSTICE-RIDH, paras. 22 and 23.
[47] JS3-GDDHH-CNOSCGE, para. 21.
[48] JS1-CPDS-ASODEGUE, p. 8.
[49] EPIBIB, p. 5.
[50] JS2-EGJUSTICE-RIDH, para. 7. See also: AI, p. 1.
[51] JS2-EGJUSTICE-RIDH, p. 8.
[52] AI, p. 3.
[53] AI, p. 5.
[54] JS3-GDDHH-CNOSCGE, para. 25.
[55] JS2-EGJUSTICE-RIDH, para. 12. See also: JS1-CPDS-ASODEGUE and JS3-GDDHH-CNOSCGE, para. 20.
[56] AI, p. 1.
[57] AI, p. 5.
[58] JS2-EGJUSTICE-RIDH, para. 17. See also: HRW, p. 4.
[59] AI, pp. 1 and 4.
[60] JS2-EGJUSTICE-RIDH, p. 8. See also: AI, p. 4.
[61] HRW, p. 4. See also: AI, p. 1.
[62] AI, p. 5.
[63] JS1-CPDS-ASODEGUE, p. 8.
[64] JS1-CPDS-ASODEGUE, p. 8.
[65] JS1-CPDS-ASODEGUE, paras. 9 to 19. See also: JS2-EGJUSTICE-RIDH, paras. 17 to 19.
[66] HRW, p. 4.
[67] JS1-CPDS-ASODEGUE, paras. 19 to 24.
[68] JS3-GDDHH-CNOSCGE, para. 23.
[69] JS3-GDDHH-CNOSCGE, para. 23.
[70] JS3-GDDHH-CNOSCGE, p. 15.
[71] JS1-CPDS-ASODEGUE, p. 8.
[72] JS3-GDDHH-CNOSCGE, para. 35.
[73] ACEDEVEMA, para. 7.
[74] ACEDEVEMA, para. 10.
[75] ACEDEVEMA, para. 5.
[76] ACEDEVEMA, para. 5.
[77] ACEDEVEMA, para. 6.
[78] ACEDEVEMA, para. 10.
[79] ACEDEVEMA, paras. 3 and 4.
[80] ACEDEVEMA, p. 5.
[81] ACEDEVEMA, paras. 8 and 14.
[82] ACEDEVEMA, para. 17.
[83] JS3-GDDHH-CNOSCGE, para. 34.
[84] JS3-GDDHH-CNOSCGE, para. 34.

[85] GIEACPC, p. 1.
[86] HRW, pp. 1 and 2.
[87] AI, p. 2.
[88] AI, p. 2.
[89] AI, p. 3.
[90] HRW, p. 4.
[91] JS3-GDDHH-CNOSCGE, para. 15.
[92] JS3-GDDHH-CNOSCGE, para. 15.
[93] JS3-GDDHH-CNOSCGE, para. 18.
[94] JS3-GDDHH-CNOSCGE, para. 15.
[95] JS2-EGJUSTICE-RIDH, para. 12.
[96] HRW, p. 5.
[97] JS3-GDDHH-CNOSCGE, para. 16.
[98] AI, p. 2.
[99] AI, p. 2.
[100] AI, p. 5.
[101] JS3-GDDHH-CNOSCGE, para. 28.
[102] HRW, p. 2.
[103] JS3-GDDHH-CNOSCGE, para. 26.
[104] JS3-GDDHH-CNOSCGE, p. 16.
[105] JS3-GDDHH-CNOSCGE, p. 15.
[106] HRW, p. 5. See also: JS1-CPDS-ASODEGUE, para.7. See also: JS3-GDDHH-CNOSCGE, p. 16.
[107] ACEDEVEMA, paras. 9 and 10.
[108] ACEDEVEMA, para. 10.
[109] EPIBIB, p. 5.
[110] EPIBIB, p. 6.
[111] RWBI, pp. 1 and 2.
[112] JS1-CPDS-ASODEGUE, para. 30. See also: JS3-GDDHH-CNOSCGE, para. 6.
[113] HRW, pp.1, 2 and 4. See also RWBI, pp. 1 and 2 and JS3-GDDHH-CNOSCGE, para. 6.
[114] JS3-GDDHH-CNOSCGE, para. 6.
[115] RWBI, p. 3.
[116] HRW, p. 2. See also: JS3-GDDHH-CNOSCGE, para. 7.
[117] JS2-EGJUSTICE-RIDH, paras. 24 and 25 to 27. See also: JS3-GDDHH-CNOSCGE, para. 7 and JS1-CPDS-ASODEGUE, paras. 33 and 34.
[118] RWBI, p. 3.
[119] HRW, p. 3. See also: RWBI, p. 2.
[120] HRW, p. 5.
[121] JS3-GDDHH-CNOSCGE, paras. 10 and 11.
[122] JS2-EGJUSTICE-RIDH, p. 8.
[123] JS3-GDDHH-CNOSCGE, para. 10.
[124] JS2-EGJUSTICE-RIDH, paras. 13, 14 and 16. See also: JS3-GDDHH-CNOSCGE, para. 25.
[125] EPIBIB, p. 5.
[126] HRW, p. 4.
[127] HRW, p. 5.
[128] JS1-CPDS-ASODEGUE, p. 8.
[129] AI, p. 4.
[130] RWBI, p. 2.
[131] JS2-EGJUSTICE-RIDH, para. 29. See also: JS1-CPDS-ASODEGUE, para. 32.
[132] JS1-CPDS-ASODEGUE, p. 8.
[133] JS2-EGJUSTICE-RIDH, para. 27.
[134] JS3-GDDHH-CNOSCGE, para. 9.
[135] JS3-GDDHH-CNOSCGE, para. 8.
[136] AI, p. 4. See also: JS1-CPDS-ASODEGUE, paras. 35 and 36 and JS2-EGJUSTICE-RIDH, para. 28.
[137] AI, p. 5.
[138] JS3-GDDHH-CNOSCGE, para. 17.
[139] JS2-EGJUSTICE-RIDH, para. 6.

[140] ACEDEVEMA, para. 13.
[141] HRW, p. 2.
[142] JS3-GDDHH-CNOSCGE, para. 43.
[143] JS3-GDDHH-CNOSCGE, paras. 4 and 44.
[144] HRW, p. 2.
[145] JS2-EGJUSTICE-RIDH, para. 4.
[146] JS3-GDDHH-CNOSCGE, para. 43.
[147] JS3-GDDHH-CNOSCGE, p. 16 and para.43. See also: HRW, p. 5.
[148] JS3-GDDHH-CNOSCGE, para. 41.
[149] JS3-GDDHH-CNOSCGE, para. 42.
[150] JS3-GDDHH-CNOSCGE, para. 39. See also: HRW, p. 2.
[151] JS3-GDDHH-CNOSCGE, para. 40.
[152] JS3-GDDHH-CNOSCGE, para. 39.
[153] JS3-GDDHH-CNOSCGE, p. 15.
[154] JS3-GDDHH-CNOSCGE, para. 36.
[155] JS3-GDDHH-CNOSCGE, paras. 37 and 38.
[156] JS3-GDDHH-CNOSCGE, para. 33.
[157] JS3-GDDHH-CNOSCGE, p. 16.
[158] EPIBIB, p. 3.
[159] JS3-GDDHH-CNOSCGE, para. 31.
[160] JS3-GDDHH-CNOSCGE, para. 29.
[161] JS3-GDDHH-CNOSCGE, paras. 29 and 30.
[162] EPIBIB, p. 4.
[163] EPIBIB, p. 4.
[164] EPIBIB, p. 4.
[165] EPIBIB, p. 4.
[166] EPIBIB, p. 5.
[167] ACEDEVEMA, para. 12.
[168] JS2-EGJUSTICE-RIDH, para. 21.
[169] EPIBIB, p. 3.
[170] EPIBIB, p. 3.